

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

<b>LAMPLIGHT LICENSING, LLC,</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>Civil Action No. 6:21-cv-01241</b>
<b>v.</b>	)	
	)	
<b>EATON CORP.</b>	)	<b>JURY TRIAL DEMANDED</b>
<b>Defendant.</b>	)	

**PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Lamplight Licensing, LLC (“Lamplight”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 9,716,393 (“the ‘393 patent”) (referred to as the “Patent-in-Suit”) by Eaton Corporation ( “Eaton”).

**I. THE PARTIES**

1. Plaintiff Lamplight is a Texas Limited Liability Company with its principal place of business located at 3571 Far West Blvd #3144, Austin, TX 78731.

2. On information and belief, Eaton is a corporation existing under the laws of the State of Delaware, with a principal place of business located at 4616 W Howard Ln Ste 2-500, Austin, Texas 78728; (512) 248-0544. On information and belief, Eaton sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district. Eaton can be served with process at its registered agent, The Corporation Trust Company, 1209 Orange St., Wilmington, DE, 19801 or anywhere else it may be found.

**II. JURISDICTION AND VENUE**

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and has (1) "a physical place in the district;" (2) that is "regular and established;" and (3) is a "the place of the defendant." Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and this District.

### **III. INFRINGEMENT**


#### **A. Infringement of the '393 Patent**

6. On July 25, 2017, U.S. Patent No. 9,716,393 ("the '393 patent", included as an attachment and part of this Complaint) entitled "Battery Backup Remaining Time Arrangement" was duly and legally issued by the U.S. Patent and Trademark Office. Lamplight owns the '393 patent by assignment.

7. The '393 patent provide an apparatus and associated systems and methods for reducing current consumption from a battery.

8. Eaton designs, manufactures, markets and sells battery devices including, but not limited to, the Eaton Electric Smart-UPS w/ APC SmartConnect and PowerChute Network Shutdown, that infringe one or more claims of the '393 patent, including one or more of claims 1-12, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the '393 Patent into service (i.e., used them); but for Defendant's actions, the claimed-inventions embodiments involving Defendant's products and services would never have been put into service. Defendant's acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant's procurement of monetary and commercial benefit from it.

9. Support for the allegations of infringement may be found in the following preliminary table:

Claims	Accused Product: Eaton 5PX UPS – 5PX2200RT
1. An apparatus for generating a signal indicative of a battery remaining time, comprising:	<p>The accused product provides an apparatus for generating a signal indicative of a battery remaining time (e.g., battery remaining time is generated and displayed on the LCD display of the accused device).</p> <div>  <div> <h3>5PX2200RT</h3> <p>Eaton 5PX UPS, 1950 VA, 1920 W, 5-20P input, Outputs: (8) 5-20R, 120V, Rack/tower</p> <p><b>List price</b> \$1,748</p> <p><small>* List Prices are not a reflection of the actual product Street Price. Check with your Eaton reseller or partner to get actual pricing</small></p> <p><b>Contact me about this product</b></p> <p><a href="#">View Spiceworks reviews</a></p> <p><a href="#">View StorageReview.com review</a></p> <p><a href="https://www.eaton.com/us/en-us/skuPage.5PX2200RT.html">https://www.eaton.com/us/en-us/skuPage.5PX2200RT.html</a></p> </div> </div>

# Eaton 5PX UPS

Enterprise class battery backup with extended runtime designed for virtualized environments

## 5PX features and benefits:

**Extended runtime:** Add up to four extended battery modules for maximum runtime.

**Virtualization-ready:** Available in convenient bundles with a network card and management software for rapid integration into your virtual environment.

**Efficiency:** Provides industry leading efficiency of up to 98 percent.

## Manageability:

- **Energy metering:** The 5PX meters energy consumption right down to the outlet segments. No other UPS in the industry offers this capability.
- **UPS management:** By integrating the Eaton Intelligent Power® Manager software, you can monitor and manage the power devices on your network.

**LCD display:** Eaton's next generation LCD offers a graphical interface which provides all critical UPS information in a single screen view.

**More power:** Protects more devices by providing 28 percent more wattage compared to traditional UPS.

**Battery life:** Eaton's exclusive ABM® technology increases battery service life by up to 50 percent.

## Intelligent Power Manager (IPM)

IPM is an easy-to-use disaster avoidance platform with sophisticated capabilities—**ideal for distributed IT environments.**

Gain control of your power infrastructure from anywhere with:

- **Policy-based remediation.** Trigger advanced actions like migrating a virtual machine during power and environmental events.
- **Intelligent resolutions.** Leverage Eaton's integrations with industry leaders to keep critical applications running.
- **Extended UPS battery runtime.** Suspend non-critical virtual machines during utility power outages to increase system uptime.

To learn more, please visit: [Eaton.com/IPM](http://Eaton.com/IPM)

## Services and support

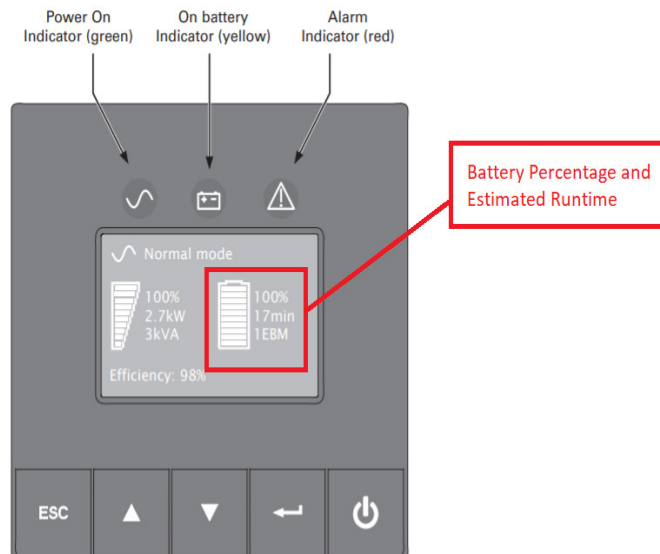
Eaton provides product support 24 hours a day, 7 days a week. From battery replacement to full UPS service plans, Eaton has one of the top service models in the industry.


## Three-year warranty

The 5PX warranty covers both the UPS and the batteries for three years.

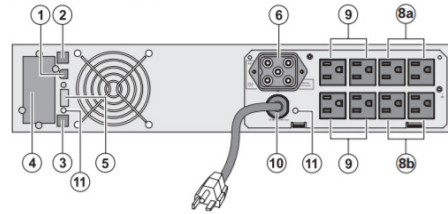
<https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/eaton-5px-ups-manual-northamerica.pdf>

The UPS has a five-button graphical LCD. It provides useful information about the UPS itself, load status, events, measurements and settings.

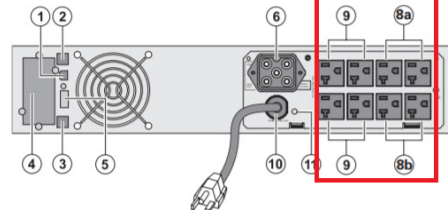


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<p>a source of a mains supply voltage for energizing a first load circuit and a second load circuit, prior to an interruption in said mains supply voltage;</p>	<p>The accused product provides a source of a mains supply voltage (e.g., output voltage during online mode powered by AC input) for energizing a first load circuit (e.g., a first circuit providing energy to non-critical loads/devices of a programmable outlet group) and a second load circuit (e.g., a second circuit providing energy to critical loads/devices of the primary outlet group), prior to an interruption in said main supply voltage (e.g., the AC input fails)</p> <p>The accused product regulates mains supply voltage for their connected loads/devices and supplies battery power upon an interruption in the mains supply voltage. The connected devices can be configured into a programmable outlet group for non-critical devices energized by a first load circuit and a critical outlet group for critical devices energized by a second load circuit.</p>

#### 5PX 1000 / 1500








#### 5PX 2200

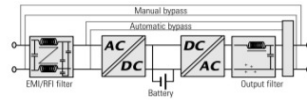


- ① USB communication port
- ② RS232 communication port
- ③ Connector for automatic recognition of an additional battery module
- ④ Slot for optional communication card
- ⑤ Connector for ROO (remote ON/OFF) or RPO (Remote Power OFF) control
- ⑥ Connector for additional battery module
- ⑦ 30A outlet (L5-30R) for connection of equipment (for 5PX 3000 only)
- ⑧a Group 1: 2 programmable outlets for connection of equipment
- ⑧b Group 2: 2 programmable outlets for connection of equipment
- ⑨ Primary Group: outlets for connection of critical equipment
- ⑩ Attached 8 ft. input power cord for AC power source  
5-15P for 1000 / 1500  
5-20P for 2200  
L5-30P for 3000
- ⑪ LED indicating site wiring fault (SWF) alarm

<https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/eaton-5px-ups-manual-northamerica.pdf>

Operation status	Possible cause	Action
<b>Standby mode</b> 	The UPS is OFF, waiting for start-up command from user	Equipment is not powered until  button is pressed.
<b>Normal mode</b> 	The UPS is operating normally.	The UPS is powering and protecting the equipment.
<b>In AVR mode</b>  Load protected LED is ON No beep	The UPS is operating normally but the utility voltage is outside normal mode thresholds.	The UPS is powering the equipment through a Automatic Voltage Regulation device. The equipment is still normally protected.
<b>On Battery</b>  Battery LED is on 1 beep every 10 seconds	A utility failure has occurred and the UPS is in Battery mode.	The UPS is powering the equipment with the battery power. Prepare your equipment for shutdown.

<https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/eaton-5px-ups-manual-northamerica.pdf>



**Double conversion topology (on-line)** is a basis for UPSs designed for continuous power protection of critical equipment against all nine power problems: power failure, power sag, power surge, undervoltage, overvoltage, switching transient, line noise, frequency variation and harmonic distortion. It ensures a consistent quality of power supply regardless of disturbances in the incoming mains. The output voltage is entirely regenerated by a sequence of AC to DC conversion followed by DC to AC conversion in order to create power supply without any electrical interference. Double conversion UPSs can be used with any type of equipment as there are no transients when changing over to battery power.

[https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/Benelux%20PQ%20Catalogus\\_%20\(for%20web\).pdf](https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/Benelux%20PQ%20Catalogus_%20(for%20web).pdf)

## Eaton 5PX UPS

Enterprise class battery backup with extended runtime designed for virtualized environments

### 5PX features and benefits:

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**Efficiency:** Provides industry leading efficiency of up to 98 percent.

#### Manageability:

- **Energy metering:** The 5PX meters energy consumption right down to the outlet segments. No other UPS in the industry offers this capability.
- **UPS management:** By integrating the Eaton Intelligent Power<sup>®</sup> Manager software, you can monitor and manage the power devices on your network.

**LCD display:** Eaton's next generation LCD offers a graphical interface which provides all critical UPS

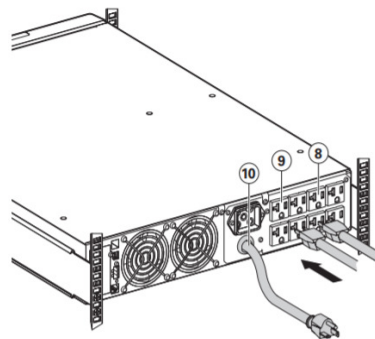
### Intelligent Power Manager (IPM)

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Gain control of your power infrastructure from anywhere with:

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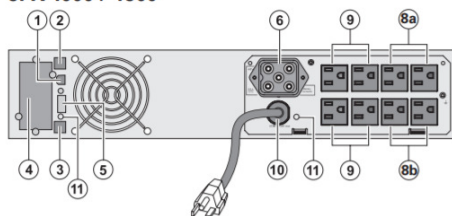
1. **5PX:** connect the UPS input plug ⑩ to the AC-power source.
2. **Connect the loads to the UPS.** It is preferable to connect the critical loads to the 'Primary' outlet group shown as ⑨ and the non-critical loads to either the Group 1 or Group 2 outlets shown as ⑧. Group 1 and Group 2 outlets can be programmed to shed loads as desired. For the 5PX 3000 models, connect any high-power device to the 30 A outlet ⑦.
3. To program shutdown of outlets ⑧ during operation on battery power to optimize the available backup time, please check the in/out settings.



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<p>a battery for providing battery backup operation to energize said second load circuit after said interruption in said mains supply voltage is detected; and</p>	<p>The accused product provides a battery for providing battery backup operation to energize said second load circuit (e.g., circuit for providing energy to critical loads/devices of the primary outlet group) after said interruption in said mains supply voltage is detected (e.g., when input AC power fails and the accused product is on battery mode)</p> <div><h2>Eaton 5PX UPS</h2><p>Enterprise class battery backup with extended runtime designed for virtualized environments</p><p><b>5PX features and benefits:</b></p><p><b>Extended runtime:</b> Add up to four extended battery modules for maximum runtime.</p><p><b>Virtualization-ready:</b> Available in convenient bundles with a network card and management software for rapid integration into your virtual environment.</p><p><b>Efficiency:</b> Provides industry leading efficiency of up to 98 percent.</p><p><b>Manageability:</b></p><ul style="list-style-type: none"><li>• <b>Energy metering:</b> The 5PX meters energy consumption right down to the outlet segments. No other UPS in the industry offers this capability.</li><li>• <b>UPS management:</b> By integrating the Eaton Intelligent Power® Manager software, you can monitor and manage the power devices on your network.</li></ul><p><b>LCD display:</b> Eaton's next generation LCD offers a graphical interface which provides all critical UPS</p><p><b>Intelligent Power Manager (IPM)</b></p><p>IPM is an easy-to-use disaster avoidance platform with sophisticated capabilities—<b>ideal for distributed IT environments.</b></p><p>Gain control of your power infrastructure from anywhere with:</p><ul style="list-style-type: none"><li>• <b>Policy-based remediation.</b> Trigger advanced actions like migrating a virtual machine during power and environmental events.</li><li>• <b>Intelligent resolutions.</b> Leverage Eaton's integrations with industry leaders to keep critical applications running.</li><li>• <b>Extended UPS battery runtime.</b> Suspend non-critical virtual machines during utility power outages to increase system uptime.</li></ul><p>To learn more, please visit: <a href="https://www.eaton.com/IPM">Eaton.com/IPM</a></p></div> <p><a href="https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/eaton-5px-ups-brochure-5px01fxa.pdf">https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/eaton-5px-ups-brochure-5px01fxa.pdf</a></p>											

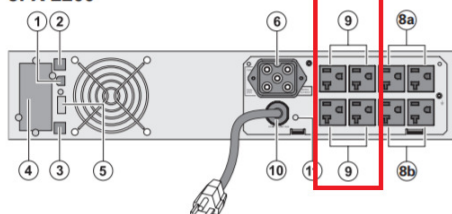


#### 5PX 1000 / 1500



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a processor coupled to said first load circuit and is configured to initiate a current drain reduction in said first load circuit after detection of said interruption, and

The accused product provides a processor coupled to said first load circuit (e.g., circuit for providing energy to non-critical loads/devices of a programmable outlet group) and is configured to initiate a current drain reduction in said first load circuit after detection of said interruption (e.g., shut down or turn off the devices belonging to the programmable outlet group when the input AC power fails and the accused device is on battery mode)

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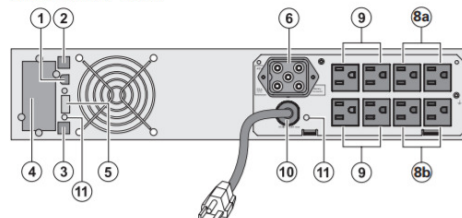
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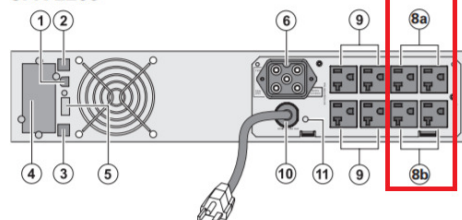
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## 5PX 1000 / 1500



## 5PX 2200



- 1 USB communication port
- 2 RS232 communication port
- 3 Connector for automatic recognition of an additional battery module
- 4 Slot for optional communication card
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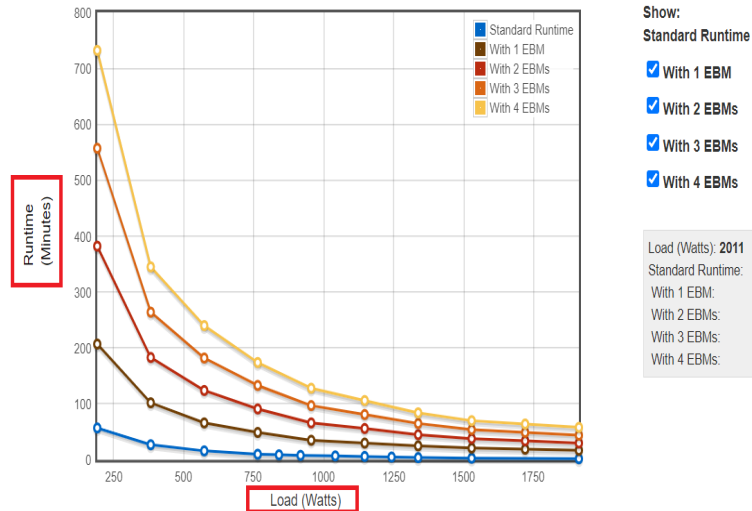
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to access a stored battery current magnitude value for use in calculating a battery remaining time indicative signal, such that, during a transitional shutdown delay interval of the apparatus that follows the detection of said interruption, said battery remaining time indicative signal is based on said stored battery current magnitude value that is unaffected by real time variations and transient loading of said battery current magnitude during said transitional shutdown delay interval and is instead based on a current magnitude in a steady	The accused product accesses a stored battery current magnitude value (e.g., battery current values obtained during calibration is stored for use of estimating battery remaining runtime during operation) for use in calculating a battery remaining time indicative signal (e.g., estimation of battery remaining runtime) such that, during a transitional shutdown delay interval of the apparatus that follows the detection of said interruption (e.g., during shut down or turn off of the non-critical loads/devices of the programmable outlet group on detection of the accused product being on battery mode), said battery remaining time indicative signal (e.g., estimation of battery remaining runtime) is based on said stored battery current magnitude value that is unaffected by real time variations and transient loading of said battery current magnitude during said transitional shutdown delay interval (e.g., during calibration, remaining runtime is calculated based on load, which corresponds to current magnitude value because the output voltage value is fixed. The relationship between remaining runtime and load (i.e., current value) is stored as a calibration curve which is applied later for runtime estimation during normal operation. The stored current value is unaffected by real time variations and transient loading of said battery current magnitude during transitional shutdown because it is previously measured during the calibration step) and is instead based on a current magnitude in a steady state of said battery backup operation (e.g., the stored load/current value for runtime estimation is based on a load/current magnitude in a steady state of said battery backup operation, i.e., the load/current must be without fluctuating during calibration which simulates a steady state battery backup operation)											

state of said battery backup operation.

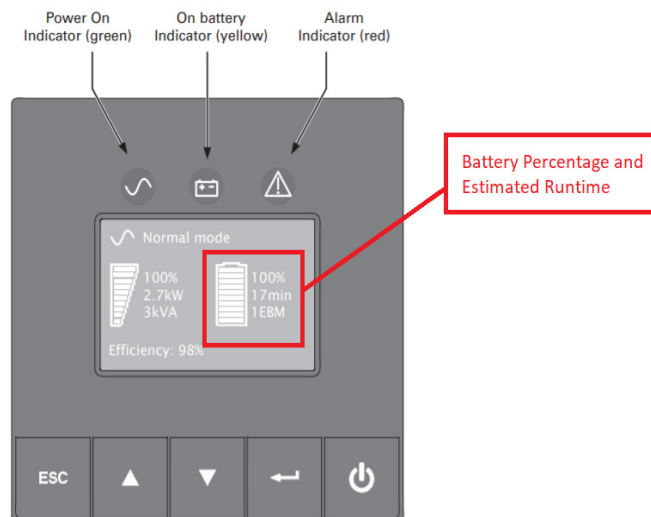
## Battery Runtimes for Eaton 5PX2200RT

EBM part number 5PXEBM48RT



[http://eg.eaton.com/ups-battery-runtime/en-us/5PX2200RT?\\_ga=2.24960634.1516009666.1636538113-1352327430.1635746431](http://eg.eaton.com/ups-battery-runtime/en-us/5PX2200RT?_ga=2.24960634.1516009666.1636538113-1352327430.1635746431)

The UPS has a five-button graphical LCD. It provides useful information about the UPS itself, load status, events, measurements and settings.



<https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/eaton-5px-ups-manual-northamerica.pdf>

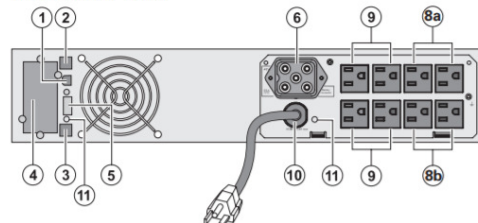


<https://www.eaton.com/us/en-us/catalog/backup-power-ups-surge-it-power-distribution/eaton-5px-ups.html>

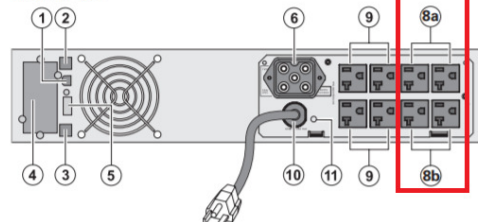
2. An apparatus according to claim 1 wherein said processor initiates shutdown of said first load circuit when said interruption is detected.

The accused product wherein the processor initiates shutdown of said first load circuit (e.g., the devices of the programmable outlet group) when said interruption is detected (e.g., when the accused product switches to battery mode)

**5PX 1000 / 1500**



**5PX 2200**



- ① USB communication port
- ② RS232 communication port
- ③ Connector for automatic recognition of an additional battery module
- ④ Slot for optional communication card
- ⑤ Connector for ROO (remote ON/OFF) or RPO (Remote Power OFF) control
- ⑥ Connector for additional battery module
- ⑦ 30A outlet (L5-30R) for connection of equipment (for 5PX 3000 only)
- ⑧a Group 1: 2 programmable outlets for connection of equipment
- ⑧b Group 2: 2 programmable outlets for connection of equipment
- ⑨ Primary Group: outlets for connection of critical equipment
- ⑩ Attached 8 ft. input power cord for AC-power source  
5-15P for 1000 / 1500  
5-20P for 2200  
L5-30P for 3000
- ⑪ LED indicating site wiring fault (SWF) alarm



<https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/eaton-5px-ups-manual-northamerica.pdf>

	Description	Available settings	Default settings
In/Out settings	Load segments - Auto shutdown delay	[Disable] [0s] [1 s] [2 s]...[65354 s] <u>During a power outage, authorizes UPS to turn off power to equipment connected to Group 1 and/or Group 2 outlets.</u> <u>This feature allows the shedding of non-critical loads in order to conserve battery power for critical loads connected to the Primary group.</u>	Group 1: Disable Group 2: Disable
	Overload prealarm	[5 %] [10 %] [15 %] [20 %] ... [100 %] [105 %] Sets critical percentage of load where alarm overload alarm occurs.	[105 %]

<https://www.eaton.com/content/dam/eaton/products/backup-power-ups-surge-it-power-distribution/backup-power-ups/eaton-5px-ups/eaton-5px-ups-manual-northamerica.pdf>

10. These allegations of infringement are preliminary and are therefore subject to change. For instance, there are other of Defendant’s products that infringe.

11. Eaton has and continues to induce infringement. Eaton has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., battery systems and products/devices) such as to cause infringement of one or more of claims 1–12 of the ‘393 patent, literally or under the doctrine of equivalents. Moreover, Eaton has known of the ‘393 patent and the technology underlying it from at least the date of issuance of the patent or the date of the filing of this lawsuit.

12. Eaton has and continues to contributorily infringe. Eaton has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., battery systems and products/devices) such

as to cause infringement of one or more of claims 1–8 of the ‘393 patent, literally or under the doctrine of equivalents. Moreover, Eaton has known of the ‘393 patent and the technology underlying it from at least the date of issuance of the patent or the date of the filing of this lawsuit.

13. Eaton has caused and will continue to cause Lamplight damage by direct and indirect infringement of (including inducing infringement of) the claims of the ‘393 patent.

#### **IV. JURY DEMAND**

Lamplight hereby requests a trial by jury on issues so triable by right.

#### **V. PRAYER FOR RELIEF**

WHEREFORE, Lamplight prays for relief as follows:

- a. enter judgment that Defendant has infringed the claims of the ‘393 patent;
- b. award Lamplight damages in an amount sufficient to compensate it for Defendant’s infringement of the ‘393 patent in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
- c. award Lamplight an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- d. declare this case to be “exceptional” under 35 U.S.C. § 285 and award Lamplight its attorneys’ fees, expenses, and costs incurred in this action;
- e. declare Defendant’s infringement to be willful and treble the damages, including attorneys’ fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;



- f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendant and its agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an amount consistent with the fact that for future infringement the Defendant will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and
- g. award Lamplight such other and further relief as this Court deems just and proper.

DATED: November 30, 2021

Respectfully submitted,

RAMEY & SCHWALLER, LLP

/s/William P. Ramey, III

William P. Ramey, III

Texas Bar No. 24027643

Donald Mahoney (*pro hac vice anticipated*)

Texas Bar No. 24046336

5020 Montrose Blvd., Suite 800

Houston, Texas 77006

(713) 426-3923 (telephone)

(832) 900-4941 (fax)

wramey@rameyfirm.com

tmahoney@rameyfirm.com

***Attorneys for Lamplight Licensing, Inc.***